

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT**

BRADFORD JONES,
PAUL JONES, and,
ROSEMARY JONES,
Plaintiffs,

v.

KAREECE SMITH,
Defendant.

Civil Action No. 2:24-cv-01069

COMPLAINT WITH JURY DEMAND

NOW COMES the Plaintiffs, Brandford, Paul and Rosemary Jones, by and through their attorneys, Pratt Vreeland Kennelly Martin & White, Ltd., and hereby complain against the Defendant as follows:

PARTIES

1. Plaintiffs are residents of Connecticut.
2. Defendant is a resident of New York.

SUBJECT-MATTER JURISDICTION

3. Diversity jurisdiction is proper pursuant to 28 USC § 1332(a) because the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, Plaintiffs are residents of Connecticut, and Defendant is a resident of New York.

PERSONAL JURISDICTION

4. This suit arises from Defendant's operation of a motor vehicle within Vermont.

VENUE

5. Venue is proper in the District of Vermont because the event giving rise to the claim, namely the vehicular crash that physically injured Bradford and Paul Jones, occurred

within the District of Vermont, in the town of Orwell within Addison County. See, 28 USCA § 1391(b)(2).

COUNT ONE - NEGLIGENCE

6. On November 26, 2023 Defendant Smith ("Smith") was operating a 2021 Nissan Versa rented to her by Enterprise Rental Cars southbound on Route 22A in the town of Orwell, County of Addison, Vermont.
7. On that same date Plaintiff Bradford Jones ("Jones") was operating a 2020 Chevrolet Equinox owned by him and his wife and co-Plaintiff Rosemary Jones northbound on Route 22-A in the town of Orwell, County of Addison, Vermont.
8. Route 22A in the town of Orwell, County of Addison, Vermont has one northbound lane and one southbound lane.
9. Bradford was bringing his son Paul, a college student, back to Burlington to resume his studies following the Thanksgiving holiday.
10. Smith had a duty to use reasonable care in the operation of her Nissan so as to not injure other motorists.
11. Smith breached the aforesaid duty by recklessly, wantonly, selfishly, outrageously and negligently passing a tractor-trailer on a hill, while being unfamiliar with the road, without being able to see on-coming traffic, and without knowing the acceleration capabilities of the rental Nissan economy car.
12. After the crash, Smith verbally admitted her fault for the crash to the lead Vermont State Police Investigator, Trooper Dobson of the New Haven barracks.

13. Smith, in her 01/30/24 written report filed with the Vermont Department of Motor Vehicles, wrote, in part, that she "...crossed the broken line to overtake another car however, I did not know there was a hill and corner ahead. I was driving a rental car at the time and was not aware the car had performance issue..." See, Exhibit 1.
14. The aforesaid conduct of Smith was criminal and she was criminally charged.
15. Smith crashed her Nissan head-on into Jones's Chevrolet.
16. Jones was exercising reasonable care in the operation of his Chevrolet at the time of the collision.
17. Jones could not avoid the collision.
18. The crash proximately caused significant damages to Plaintiffs, including personal injuries to Bradford and Paul, their pain and suffering, all three Plaintiffs' mental anguish, derailment of Paul's collegiate studies, wasted tuition expenses, lost income for Bradford, Rosemary lost some companionship and household contributions by Bradford, vehicular and other property damage, medical bills, hotel expenses, travel expenses, permanent injuries to Brad and Paul, disfigurement of Paul, and diminished enjoyment of ordinary pursuits, among other things.

PRAYER FOR RELIEF

Plaintiffs hereby pray for the following relief:

- 1) Compensatory damages in precise amounts to be proven at trial, but in excess of \$1,000,000.00;
- 2) Punitive damages in amounts to be proven at trial;

- 3) Statutory interest of 1% per month on all sum certain damages including medical bills, property damages, lost earnings, and wasted college tuition; and,
- 4) Costs including any costs associated with the mandatory Early Neutral Evaluation session.

JURY DEMAND

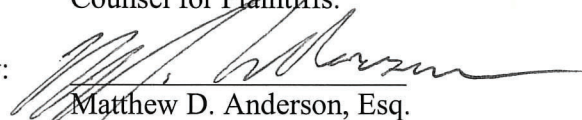
Plaintiffs demand a jury trial under the 7th Amendment to the U.S. Constitution.

DATED at Rutland, Vermont this 4th day of October, 2024.

Pratt Vreeland Kennelly Martin & White, Ltd.,

Counsel for Plaintiffs.

by:



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